

## **REMARKS**

In response to the above-identified Office Action, Applicant traverses the Examiner's rejection to the claims and seeks reconsideration thereof. Claims 1-20 are now pending in the present application. In this response, Claims 1, 4, 7, 11, 14 and 17 have been amended, no have been added and no claims have been cancelled.

### **Claim Rejections – 35 U.S.C. §101**

In the outstanding Office Action, Claims 1-20 were rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-20 of prior U.S. Patent No. 6,378,429 issued to Tomita ("Tomita").

The present invention claims a method and apparatus for adjusting an ink supply amount for a printing press having an ink fountain for storing an ink, an ink fountain roller to which said ink is supplied from said ink fountain, a plurality of ink fountain keys aligned in an axial direction of said ink fountain roller to adjust an amount of ink to be supplied from said ink fountain to said ink fountain roller, and an ink roller group for supplying said ink to a plate in an amount adjusted in accordance with a feed rate of said ink fountain roller, comprising the steps of, obtaining reference opening amounts of said ink fountain keys in accordance with image area ratios of respective areas, corresponding to said ink fountain keys, of said plate by following a preset separate conversion curve of a respective ink color, of the relationship between

an image area ratio and opening amounts of said ink fountain keys and uniformly correcting the obtained reference opening amounts of said ink fountain keys with preset correction values, thereby obtaining set values of the opening amounts of said ink fountain keys.

Applicant respectfully submits Tomita teaches a printing press which provides for uniform adjustment of the ink supply amount for a plurality of ink colors. In particular, independent Claim 1 recites in relevant part the elements of, an ink supply amount adjusting method for a multicolor printing press which performs multicolor printing with a plurality of printing units, comprising the steps of, obtaining reference opening amounts of respective ink fountain keys in units of ink colors in accordance with image area ratios of respective areas, corresponding to said ink fountain keys, of said plate by following a relationship between the image area ratios and opening amounts of said ink fountain keys, the relationship being preset to be common to the respective ink colors, and uniformly correcting the obtained reference opening amounts of said ink fountain keys in units of ink colors with correction values preset in units of ink colors, thereby obtaining set values of the opening amounts of said ink fountain keys in units of ink colors.

As is obvious from above, Tomita teaches that the reference opening amounts of said ink fountain keys are obtained from the common conversion curve, which is common to the respective ink colors. For example, Tomita teaches that when

performing four-color (cyan, magenta, yellow, black) printing, reference opening amounts of the respective ink fountain keys in units of colors in accordance with image area ratios of respective areas, corresponding to the respective ink fountain keys, of the plate following the conversion curve which is common to the four colors. See Tomita, col. 6, lines 55-62 and Figure 15. On the other hand, the present invention teaches that the reference opening amounts of the respective ink fountain keys are obtained from the separate conversion curves of said respective ink colors. Specifically, the present invention provides for obtaining reference opening amounts of respective ink fountain keys of respective colors in accordance with image area ratios of respective areas, corresponding to respective ink fountain keys, of a plate by following a separate conversion curve with respect to each color. Thus, the ink fountain key opening amounts are separately determined for each color.

Thus, since Tomita does not teach the element of an ink fountain key opening amount determined separately for each color, Claim 1 of Tomita does not claim the same invention as that recited in Applicant's amended Claim 1. Applicant, respectfully requests withdrawal of the Examiner's rejection of Claim 1 under 35 U.S.C. §101.

In regard to dependent Claim 2, Applicant respectfully submits Claim 2 depends from Claim 1 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 1, Claim 2 is not the same invention as Claim 2 of

Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 2 under 35 U.S.C. §101.

In regard to dependent Claim 3, Applicant respectfully submits Claim 3 depends from Claim 1 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 1, Claim 3 is not the same invention as Claim 3 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 3 under 35 U.S.C. §101.

In regard to independent Claim 4, Applicant respectfully submits Claim 4 does not claim the same invention as Claim 4 of Tomita for at least the same reasons discussed above with respect to independent Claim 1. Claim 4 has been amended to clarify that the opening amounts of the ink fountain keys are set by following a preset separate conversion curve of a respective ink color, of the relationship between an image area ratio and the opening amounts of said ink fountain keys. As previously set forth, Tomita teaches that the reference opening amounts of said ink fountain keys are obtained from the common conversion curve, which is common to the respective ink colors. Accordingly, since Applicant's Claim 4 does not claim the same invention as that of Claim 4 of Tomita, Applicant respectfully requests withdrawal of the rejection of Claim 4 under 35 U.S.C. §101.

In regard to dependent Claim 5, Applicant respectfully submits Claim 5 depends from Claim 4 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 4, Claim 5 is not the same invention as Claim 5 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 5 under 35 U.S.C. §101.

In regard to dependent Claim 6, Applicant respectfully submits Claim 6 depends from Claim 4 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claims 4, Claim 6 is not the same invention as Claim 6 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 6 under 35 U.S.C. §101.

In regard to independent Claim 7, Applicant respectfully submits Claim 7 does not claim the same invention as Claim 7 of Tomita. Claim 7 provides for an ink supply amount adjusting method where the ink supply amount is adjusted by correcting the feed amount of an ink fountain roller. Claim 7 has been amended to clarify that the feed rate of the ink fountain roller is determined from a respective ink color. In contrast, Claim 7 of Tomita teaches that the feed rate of the ink fountain roller is preset to be common to the ink colors by using preset correction values. Thus, Claim 7 of Tomita does not teach an adjusting method in which the feed rate to the ink fountain roller may be adjusted separately for each ink color. Accordingly, since Applicant's

Claim 7 does not claim the same invention as that of Claim 7 of Tomita, Applicant respectfully requests withdrawal of the rejection of Claim 7 under 35 U.S.C. §101.

In regard to dependent Claim 8, Applicant respectfully submits Claim 8 depends from Claim 7 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 7, Claim 8 is not the same invention as Claim 8 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 8 under 35 U.S.C. 101.

In regard to dependent Claim 9, Applicant respectfully submits Claim 9 depends from Claim 7 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 7, Claim 9 is not the same invention as Claim 9 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 9 under 35 U.S.C. 101.

In regard to dependent Claim 10, Applicant respectfully submits Claim 10 depends from Claim 7 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 7, Claim 10 is not the same invention as Claim 10 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 10 under 35 U.S.C. §101.

In regard to independent Claim 11, Applicant respectfully submits Claim 11 does not claim the same invention as Claim 11 of Tomita for at least the same reasons discussed above with respect to independent Claims 1 and 4. Claim 11 has been amended to clarify that the opening amounts of the ink fountain keys are set by following a preset separate conversion curve of a respective ink color, of the relationship between an image area ratio and the opening amounts of said ink fountain keys. As previously set forth, Tomita teaches that the reference opening amounts of said ink fountain keys are obtained from the common conversion curve, which is common to the respective ink colors. Accordingly, since Applicant's Claim 11 does not claim the same invention as that of Claim 11 of Tomita, Applicant respectfully requests withdrawal of the rejection of Claim 11 under 35 U.S.C. §101.

In regard to dependent Claim 12, Applicant respectfully submits Claim 12 depends from Claim 11 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 11, Claim 12 is not the same invention as Claim 12 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 12 under 35 U.S.C. §101.

In regard to dependent Claim 13, Applicant respectfully submits Claim 13 depends from Claim 11 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claims 11, Claim 13 is not the same invention

as Claim 13 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 13 under 35 U.S.C. 101.

In regard to independent Claim 14, Applicant respectfully submits Claim 14 does not claim the same invention as Claim 14 of Tomita for at least the same reasons discussed above with respect to independent Claims 1, 4 and 11. Claim 14 has been amended to clarify that the opening amounts of the ink fountain keys are set by following a preset separate conversion curve of a respective ink color, of the relationship between an image area ration and the opening amounts of said ink fountain keys. As previously set forth, Tomita teaches that the reference opening amounts of said ink fountain keys are obtained from the common conversion curve, which is common to the respective ink colors. Accordingly, since Applicant's Claim 14 does not claim the same invention as that of Claim 14 of Tomita, Applicant respectfully requests withdrawal of the rejection of Claim 14 under 35 U.S.C. §101.

In regard to dependent Claim 15, Applicant respectfully submits Claim 15 depends from Claim 14 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 14, Claim 15 is not the same invention as Claim 15 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 15 under 35 U.S.C. §101.

In regard to dependent Claim 16, Applicant respectfully submits Claim 16 depends from Claim 14 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 14, Claim 16 is not the same invention as Claim 16 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 16 under 35 U.S.C. §101.

In regard to independent Claim 17, Applicant respectfully submits Claim 17 does not claim the same invention as Claim 17 of Tomita. Claim 17 provides for an ink supply amount adjusting apparatus where the ink supply amount is adjusted by correcting the feed amount of an ink fountain roller. Claim 17 has been amended to clarify that the feed rate of the ink fountain roller is determined separately for each ink color. In contrast, Claim 17 of Tomita teaches that the feed rate of the ink fountain roller is preset to be common to the ink colors by using preset correction values obtained by the setting means. Thus, Claim 17 of Tomita does not teach an adjusting method in which the feed rate to the ink fountain roller may be adjusted separately for each ink color. Accordingly, since Applicant's Claim 17 does not claim the same invention as that of Claim 17 of Tomita, Applicant respectfully requests withdrawal of the rejection of Claim 17 under 35 U.S.C. §101.

In regard to dependent Claim 18, Applicant respectfully submits Claim 18 depends from Claim 17 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 17, Claim 18 is not the same invention as

Claim 18 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 18 under 35 U.S.C. §101.

In regard to dependent Claim 19, Applicant respectfully submits Claim 19 depends from Claim 17 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 17, Claim 19 is not the same invention as Claim 19 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 19 under 35 U.S.C. §101.

In regard to dependent Claim 20, Applicant respectfully submits Claim 20 depends from Claim 17 and incorporates the limitations thereof. Thus, for at least the reasons discussed above with respect to Claim 17, Claim 20 is not the same invention as Claim 20 of Tomita. Applicant respectfully requests withdrawal of the Examiner's rejection of Claim 20 under 35 U.S.C. §101.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely Claims 1-20, are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.